

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ALABAMA**

STACI SULLIVAN,)	
)	
PLAINTIFF,)	
)	
V.)	CASE NO: CV2010-494
)	
NELSON, WATSON & ASSOCIATES, LLC)	
)	
DEFENDANT.)	
)	

MOTION FOR ENTRY OF HIPPA ORDER

COMES NOW the Defendant, Nelson Watson & Associates, LLC, and moves this Honorable Court to enter the attached HIPPA Order, which will allow third-party medical providers to produce all requested and necessary healthcare information pertaining to the Plaintiff in accordance with the privacy requirements of HIPPA. In support of this Motion, the Defendant shows as follows:

1. This case involves allegations of personal injury to the Plaintiff. Specifically, the Plaintiff alleges suffering mental and emotional pain, distress and anguish, humiliation and embarrassment.
2. In its first set of interrogatories, Defendant asked for the names of any physicians that have treated Plaintiff for her injuries. Plaintiff responded, "I take Zoloft, prescribed by Dr. Felicia Stella, OBGYN". (Plaintiff's Responses to Nelson, Watson & Associates, LLC's First Set of Interrogatories, #12)
3. Plaintiff alleges that she suffered mental and emotional injuries as a result of actions taken by the Defendant.

4. Therefore, Plaintiff's medical history and treatment before, during, and after the events alleged in the Complaint are directly relevant to her claims in this matter, and are, at a minimum, reasonably calculated to lead to the discovery of admissible evidence.

WHEREFORE, PREMISES CONSIDERED, the Defendants respectfully request this Honorable Court to enter the attached HIPAA Order to facilitate the production of medical records in this matter.

Respectfully Submitted,

/s/ Neal D. Moore, III

Neal D. Moore, III

Amy E. Blankenship

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Associates, LLC*

OF COUNSEL:

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CERTIFICATE OF SERVICE

This is to certify that on this the 22nd day of March, 2011, a copy of the forgoing document has been served upon counsel for all parties to this proceeding by the following method:

_____	mailing the same by first-class United States mail, properly addressed and postage pre-paid
_____	hand delivery
_____	via facsimile
<u> X </u>	E-File

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/s/ Neal D. Moore, III
OF COUNSEL

At the conclusion of this action and at the written request of an Individual whose Protected Health Information has been disclosed, or such Individual's authorized representative, all recipients of the Protected Health Information shall return to the requesting party the documents and all copies thereof containing Protected Health Information received by them pursuant to this Order, except that Protected Health Information which is included in insurance claim files and law firm litigation files may be retained to allow compliance to the extent and for the period that such retention is required by Alabama insurance laws and the Alabama State Bar rules and regulations.

DONE this the ____ day of _____, 2011.

UNITED STATES DISTRICT JUDGE